

20.08.2024
Item No. 2.
Court No.18.
AB

W. P. A. 16115 of 2022

**Ansura Khatun @ Ansura Begum
Vs
The State of West Bengal & Ors.**

Ms. Sabita Khutia (Bhunya)for the Petitioner.

Mr. Bhaskar Prasad Vaisya, Id AGPfor the State.

Ms. Koyeli Bhattacharya,
Mr. Bibek Duttafor the W.B.B.S.E.

Mr. Sudeep Sanyal,
Mr. Snehasis Jana,
Ms. Tutun Das,
Mr. Chandrachur Lahirifor the Respondent No.7.

The matter is taken up for consideration in terms of the order dated August 12, 2024.

Pursuant to the direction as contained in the order dated August 12, 2024, supplementary affidavit has been filed on behalf of the petitioner. The same is taken on record.

On behalf of the District Inspector of Schools (SE), Howrah, a report dated August 16, 2024 is also filed and the same is taken on record.

On perusal of the report of the concerned District Inspector of Schools (S.E.), Howrah, it appears that the respondent no.7 attended the office of the concerned District Inspector of Schools (S.E.) on August 16, 2024 along with necessary documents and the concerned District Inspector of Schools (S.E.)

found that 10 years' service benefit was accorded to the petitioner's husband, who died-in-harness on March 21, 1997, who was working as approved Group-D staff of the school. The respondent no.7 also recast the service book of the deceased. The objection raised on August 14, 2024, by the Assistant Director of Accounts attached to the office of the District Inspector of Schools (S.E.), Howrah was resolved and the pension paper filed by the petitioner's husband was forwarded to the Director of Pension, Provident Fund and Group Insurance, West Bengal on August 16, 2024.

Since the pension case of the husband of the petitioner has been finalized, the Director of Pension, Provident Fund and Group Insurance, being the respondent no.3 herein, is directed to issue Pension Payment Order for release of terminal benefits including family pension in favour of the petitioner by fortnight from the date of communication of this order and the benefits shall be released in favour of the petitioner by fortnight thereafter.

Attention of this Court has been drawn to page 4 of the supplementary affidavit filed on behalf of the petitioner today wherefrom it appears that the Secretary, West Bengal Board of Secondary Education vide Memo dated September 15, 2023 sanctioned leave in favour of the husband of the petitioner for the period from 21.05.1995 to 21.03.1997 since during

such period, husband of the petitioner was not allowed to join the school and the said period was directed to be treated as spent on duty with pay and other admissible benefits.

Further grievance of the petitioner is that arrear salary for the said period from 21.05.1995 to 21.03.1997 has not been released till date. The respondent no.7 and the State-respondents are directed to release arrear salary to the petitioner by four weeks from the date of communication of this order on compliance of necessary formalities.

The writ petition stands disposed of.

Personal presence of the respondent no.7 stands dispensed with.

There shall be no order as to costs.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Saugata Bhattacharyya, J.)